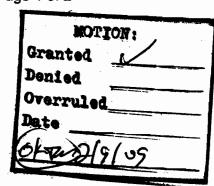
UNITED	STAT	ES DIS	TRICT	<b>COURT</b>
EASTER	N DIS	TRICT	OF MI	SSOURI

EXPRESS SCRIPTS, INC.,	)	
Plaintiff,	)	
vs.	)	Cause No.: 4:08-cv-1915
WALGREEN CO.,	)	
Defendant.	)	
	)	



## PLAINTIFF'S MOTION FOR LEAVE TO FILE AN OVER LENGTH RESPONSE TO DEFENDANT'S CONSOLIDATED MEMORANDUM OF LAW

COMES NOW Plaintiff Express Scripts, Inc. and respectfully requests leave to file an over length response to Defendant Walgreen Co.'s consolidated Memorandum of Law in support of its Motion to Dismiss, Transfer or Stay and in opposition to Plaintiff's Motion to Enjoin. In support of this motion, Plaintiff states as follows:

- 1. On December 10, 2008, Plaintiff filed a Complaint against Defendant, advancing causes of action for breach of contract and declaratory judgment. Defendant was granted an extension of time, up to and including January 22, 2008, to file a responsive pleading.
- 2. On January 22, 2009, Defendant filed a motion to dismiss, transfer or stay Plaintiff's Complaint and its opposition to Plaintiff's Motion to Enjoin. In support of its motion, Defendant filed an over length, consolidated memorandum of law.
- 3. Plaintiff hereby requests leave to file an over length memorandum of law in opposition to Defendant's Motion to Dismiss, Transfer or Stay and in response to Defendant's opposition to Plaintiff's Motion to Enjoin. For the convenience of the court and to avoid unnecessary duplicative filings, Plaintiff seeks to address in one filing all points argued within